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FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON
NOV 21 2023
SEAN F. McAVOY, CLERK
DEPUTY
SPOKANE, WASHINGTON

10 UNITED STATES DISTRICT COURT
11 FOR THE EASTERN DISTRICT OF WASHINGTON

12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 v.

15 DAVID EVERETT MCALLISTER,

16 Defendant.

2:23-CR-130-SAB

INDICTMENT

Vios: 18 U.S.C. §§ 2242(3), 1152
Sexual Abuse in Indian
Country
(Count 1)

18 U.S.C. § 1001(a)(2)
False Statement
(Counts 2–3)

18 U.S.C. § 2253
Forfeiture Allegations

17 The Grand Jury charges:

18 COUNT 1

19 On or about October 13, 2022, in the Eastern District of Washington, within
20 the external boundaries of the Kalispel Indian Reservation, in Indian Country, the
21 Defendant, DAVID EVERETT MCALLISTER, a non-Indian, did knowingly
22 engage in a sexual act with another person, to wit: VICTIM 1, an Indian, without
23 that other person's consent, all in violation of 18 U.S.C. §§ 2242(3), 1152.

COUNT 2

On or about October 14, 2022, in the Eastern District of Washington, in a matter within the jurisdiction of the Federal Bureau of Investigation, an agency of the United States, the Defendant, DAVID EVERETT MCALLISTER, did knowingly and willfully make a false, fraudulent, and fictitious statement and representation, to wit: MCALLISTER stated to Federal Bureau of Investigation Special Agents Cory Dimas and Taylor Clarke that MCALLISTER did not have sexual relations with VICTIM 1 in Airway Heights on October 13, 2022, in violation of 18 U.S.C. § 1001(a)(2).

COUNT 3

On or about November 14, 2022, in the Eastern District of Washington, in a matter within the jurisdiction of the Federal Bureau of Investigation, an agency of the United States, the Defendant, DAVID EVERETT MCALLISTER, did knowingly and willfully make a false, fraudulent, and fictitious statement and representation, to wit: MCALLISTER stated to Federal Bureau of Investigation Special Agents Cory Dimas and Taylor Clarke that MCALLISTER never had sexual relations with VICTIM 1, in violation of 18 U.S.C. § 1001(a)(2).

NOTICE OF FORFEITURE ALLEGATIONS

The allegations contained in this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures.

Pursuant to 18 U.S.C. § 2253(a)(2) and (a)(3), upon conviction of an offense in violation of 18 U.S.C. § 2242(3), as alleged in this Indictment, the Defendant, DAVID EVERETT MCALLISTER, shall forfeit to the United States of America any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offense; and, any property, real or personal, used or intended to be used to commit or to promote the commission of such offenses, or any property traceable to such property.

1 If any of the property described above, as a result of any act or omission of
2 the Defendant:

- 3 a. cannot be located upon the exercise of due diligence;
4 b. has been transferred or sold to, or deposited with, a third party;
5 c. has been placed beyond the jurisdiction of the court;
6 d. has been substantially diminished in value; or
7 e. has been commingled with other property which cannot be divided
8 without difficulty,
9

10 the United States of America shall be entitled to forfeiture of substitute property
11 pursuant to 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 2253(b).

12 DATED this 21 day of November 2023.

13 A TRUE BILL

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